

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

State of Oklahoma, et al.,

Plaintiffs,

vs.

Tyson Foods, Inc., et al.,

Defendants.

Case No. 05-CV-0329 GFK-SAJ

**THE CARGILL DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE
SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION TO COMPEL
PLAINTIFFS TO DESIGNATE DEPONENTS UNDER RULE 30(B)(6)**

Defendants Cargill, Inc. and Cargill Turkey Production, LLC (“the Cargill Defendants”) move to submit limited additional briefing in support of their motion to compel Plaintiffs to designate deponents in response to five Rule 30(b)(6) notices served on Plaintiffs in August 2007 (Dkt. No. 1270) and in opposition to Plaintiffs’ cross-motion for protective order (Dkt. No. 1309).

On the same day that the Cargill Defendants submitted their combined reply in support of their motion and response to Plaintiffs’ cross-motion (Dkt. Nos. 1326, 1331), Plaintiffs served (pursuant to this Court’s Order) supplemental responses to the Cargill Defendants’ interrogatories. Plaintiffs’ supplemental responses bear directly on the Rule 30(b)(6) deposition arguments before this Court. The Cargill Defendants therefore seek leave to present the Court with Plaintiffs’ supplemental interrogatory responses and to briefly explain their impact on the pending deposition disputes before the hearing on the Cargill Defendants’ and Plaintiffs’ cross-motions on November 6, 2007.

Plaintiffs do not oppose the instant motion. Moreover, in the interests of judicial economy and efficiency and by agreement of the parties, the Cargill Defendants will provide Plaintiffs with a copy of the draft supplemental briefing by no later than the morning of November 2, such that if Plaintiffs are so able, they will address the supplemental briefing in their Reply in support of their cross-motion for protective order. If Plaintiffs are unable to do so, the Cargill Defendants will not oppose a request by Plaintiffs to file a short response on November 5, 2007.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on the 1st day of November, 2007, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

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